



012204

17175

U.S. PTO

PTO/SB/05 (08-03)

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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MLI-10
First Inventor	Michael Ries, et al.
Title	Femoral Hip Prosthesis...
Express Mail Label No.	EU262118376US

17548 U.S. PTO  
10/763314

012204

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 36]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Sheets]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information:

Examiner: .....

Art Unit: .....

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number: ..... OR ☒ Correspondence address below

Name	Daniel F. Justin				
Address	180 South 600 West				
City	Logan	State	Utah	Zip Code	84321
Country	USA	Telephone	435-753-7698	Fax	435-753-7698

Name (Print/Type)	Daniel F. Justin	Registration No. (Attorney/Agent)	50144
Signature		Date	1/22/04

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

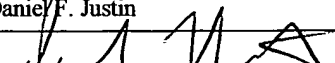
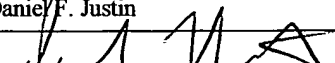
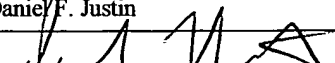
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

17175 U.S. PTO

# **FEE TRANSMITTAL** **For FY 2003**

Complete if Known

<b>FEE TRANSMITTAL</b> <b>For FY 2003</b>		<b>Application Number</b>	
		<b>Filing Date</b>	
		<b>First named Inventor</b>	
		<b>Examiner Name</b>	
<input checked="" type="checkbox"/> Applicant Claims small entity status.		<b>Art Unit</b>	
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b> 755.00	<b>Attorney Docket No.</b> MLI-10

<b>Method of Payment</b>		<b>Fee Calculation (Continued)</b>																																																																																																																																																																																									
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> The Commissioner is authorized to: (Check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Code</th> <th>Fee (\$)</th> <th>Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath.</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification.</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination.</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action.</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840</td> <td>1805</td> <td>1,840</td> <td>Requesting publication of SIR after Examiner action.</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month.</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month.</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month.</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within forth month.</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month.</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal.</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal.</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing.</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding.</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath.		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification.		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination.		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action.		1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action.		1251	110	2251	55	Extension for reply within first month.		1252	420	2252	210	Extension for reply within second month.		1253	950	2253	475	Extension for reply within third month.		1254	1,480	2254	740	Extension for reply within forth month.		1255	2,010	2255	1,005	Extension for reply within fifth month.		1401	330	2401	165	Notice of Appeal.		1402	330	2402	165	Filing a brief in support of an appeal.		1403	290	2403	145	Request for oral hearing.		1451	1,510	1451	1,510	Petition to institute a public use proceeding.		1452	110	2452	55	Petition to revive - unavoidable.		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility Issue fee (or reissue)		1502	480	2502	240	Design Issue Fee		1503	640	2503	320	Plant Issue Fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q).		1806	180	1806	180	Submission of information disclosure stmt.		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129 (a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application.		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1201	86	2201	43	Independent claims in excess of 3.																																																																																																																																																																																							
1203	290	2203	145	Multiple dependent claim, if not paid.																																																																																																																																																																																							
1204	86	2204	43	**Reissue independent claims over original patent.																																																																																																																																																																																							
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent.																																																																																																																																																																																							
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Name	Daniel F. Justin	Registration No.	50144	Telephone																																																																																																																																																																																							
Signature		Date	1/22/04																																																																																																																																																																																								

PATENT APPLICATION

Docket No: MLI-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
 )  
Michael Ries, et al. )  
 )  
Serial No.: )Art Unit  
 )  
Confirmation No.: )  
 )  
Filed: 01/22/04 )  
 )  
For: Femoral Hip Prosthesis and )  
Method of Implantation )

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. ' 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Patent Application Commissioner for Patents, Alexandria, VA 22313-1450, on the 22<sup>nd</sup> of January 2004.

X Transmittal Form  
X Specification 36 Pages  
X Drawings 8 Sheets  
X Fee Transmittal Form  
X Check \$ 755.00  
X Postcard

Respectfully submitted,



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